

**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment

FROM: Arthur Jackson, Case Manager
Joel Lawson, Associate Director Development Review

DATE: May 24, 2013

SUBJECT: **BZA Case 18564** – FMBZA application for special exception relief in accordance with § 1000 to allow the Sri Lankan embassy and chancery to relocate to 3025 Whitehaven Street NW

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends that the Foreign Mission Board of Zoning Adjustment (FMBZA) **not disapprove** the special exception requested for the embassy/chancery relocation.

II. LOCATION AND SITE DESCRIPTION:

Address:	3025 Whitehaven Street NW
Legal Description:	Square 2147, Lot 0046
Ward:	3C
Lot Characteristics:	A rectangular interior lot with an area of 13,203 square feet (0.3 acre) with no rear alley access (refer to Figure 2). The abutting Whitehaven Street is not improved along its entire right-of-way between Massachusetts Avenue and Observatory Circle NW.
Zoning:	<i>D/R-1-A</i> – one family detached dwellings are allowed in this district but chanceries are allowed if not disapproved by the FMBZA.
Existing Development:	According to the submitted annotated plat, the vacant three-story masonry dwelling has a basement and two-vehicle garage on the eastern dwelling façade. DC land records indicate the dwelling was originally constructed in 1951 and remodeled in 2007. The front yard is terraced with steps up to the front door. In the rear yard is a swimming pool, stone patio and one-story conservatory. The side and rear yards also appear be bordered by a stone retaining wall and fence. This property is well-landscaped with several large trees, and a curb cut and driveway along Whitehaven Street (refer to Figures 1 and 2).
Historic District:	None, although the property skirts the Massachusetts Avenue and Georgetown Districts
Adjacent Properties:	Two- to three-story detached dwellings of masonry and stone construction.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	The Democratic Socialist Republic of Sri Lanka, owner of record.
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Proposal:	To relocate the official embassy ¹ and chancery from the current location at 2148 Wyoming Avenue NW to the subject property. No exterior changes are proposed to the existing structures onsite.
Relief Sought:	§1001 – special exception relief to not disapprove establishment of the proposed embassy and chancery on the subject property.

IV. ZONING REQUIREMENTS

D/R-1-A District	Regulation	Existing	Proposed ²	Relief
Height (ft.) § 400	40 ft. max., 3 floors	34 feet, 3 fl.	SAME	None required
Lot Width (ft.) § 401	75 feet min.	88 feet	SAME	None required
Lot Area (sq. ft.) § 401	7,500 sq. ft. min.	13, 203 sq. ft.	SAME	None required
Lot Occupancy § 403	40% max.	22%	SAME	None required
Rear Yard (ft.) § 404	25 feet min.	25 feet	SAME	None required
Side Yard (ft.) § 405	8 feet min.	8 feet	SAME	None required
Parking § 2101.1	1 space / 800 sq. ft. (6,600/800 = 8 spaces) ³	2 spaces (garage)	SAME	-6 spaces

V. OP ANALYSIS

Consistency with § 1001(chancery use criteria)

1001.1 A chancery shall be a permitted use in a D Overlay District, subject to disapproval by the Board of Zoning Adjustment, based on the criteria in this section.

1001.2 The Board shall consider the international obligation of the United States to facilitate the provision of adequate and secure facilities for foreign missions in the Nation's Capital.

To date, no documentation from the US Department of State, Office of Foreign Mission has been submitted to the case record file that addresses this criterion.

1001.3 The Board shall consider historic preservation, as determined by the Board in carrying out this section.

The application included an email dated February 22, 2013 from the D.C. Historic Preservation Office to the Democratic Socialist Republic of Sri Lanka (Mission) confirming that the subject property is not listed in the DC Inventory of Historic Sites as a landmark or part of an historic district. It is therefore not subject to review under the Historic Landmark and Historic Protection Act (D.C. Law 2-144).

Figure 1



¹ According to the applicant, “embassy” functions at this location would primarily consist of official meetings with the Ambassador. The official residence of the Ambassador would continue to be located elsewhere.

² Information provided by applicant.

³ According to DC land record the finished dwelling interior floor area is approximately 6,600 square feet.

1001.4 To ensure compatibility with historic landmarks and historic districts, substantial compliance with District of Columbia and federal regulations governing historic preservation shall be required with respect to new construction and to demolition of or alteration to historic landmarks.

This standard is not applicable in this case since new construction or exterior alterations are not proposed.

1001.5 The Board shall consider the adequacy of off-street or other parking, and the extent to which the area will be served by public transportation to reduce parking requirements, subject to any special security requirements that may be determined by the United States Secretary of State, after consultation with federal agencies authorized to perform protective services.

Operating hours and staff

The Mission is open between the hours of 9:00 AM - 5:00 PM, Monday through Friday. Of its 18 employees, only eight (including the Ambassador) work onsite. The rest either work elsewhere or telecommute. The applicant's representative indicated that the current number of onsite employees is not expected to increase.

Demand for staff parking

In a memorandum dated March 5, 2013, and included in the application, the Deputy Chief of Mission reiterated the long-standing policy that *all* personnel who work onsite travel by carpool, public transportation or taxi cabs. The Mission also provides employees with reloadable \$50 SmartTrip each month to assist with commuting costs.⁴ Only the Ambassador and persons being "dropped off" are excluded from this policy. The subject property is conveniently located approximately 700 feet from Massachusetts Avenue and the multiple Washington Metropolitan Transit Authority (WMATA) bus routes that travel this roadway. These routes also service the Dupont Circle Metrorail Station, located approximately 1.2 miles away.

Demand for visitor parking

Mission visitors are only received between 9:00 AM and 3:00 PM, a time period in-between peak vehicle travel times. According to application, numbers of visitors range from 4-6 persons daily. The submitted portion of a visitor log indicated that most were service and delivery persons. Nearly all other visitors came for meetings the Ambassador. It also appears that groups of visitors occasionally arrived together.

Parking current exists on the property. Although the garage is designed for two vehicles, one of the annotated plats submitted illustrated that three additional vehicles⁵ could be accommodated, for a total of 5 vehicle spaces onsite. The embassy also requested three diplomatic parking spaces along the adjacent Whitehaven Street frontage. If approved this would increase the available Mission parking to 8 spaces which would equal the requirement.

Parking for special events

The applicant's representative stated that no annual events or special celebrations are held at the current chancery and embassy location on Wyoming Avenue. Special events and celebrations would continue to be held at the official residence of the Ambassador and other offsite locations after the Mission relocates. On the rare occasion that an event is held on the subject property, the Mission would work with nearby foreign missions to provide valet parking on neighboring properties (refer to Figure 3).

⁴ Noted in the District Department of Transportation memorandum on this case dated May 21, 2013.

⁵ This total excludes two vehicle spaces shown on the plat as extending offsite and into public space.

Based on this information and other factors identified in the submitted technical memorandum, consultants O. R. George & Associates Inc., concluded the parking demands of and traffic generated by the proposed embassy and chancery could be adequately addressed.

Regarding the special security requirements of this subject property, the US Department of State Office of Foreign Mission has not submitted documentation to the record file that addresses this criterion.

1001.6 The Board shall consider the extent to which the area is capable of being adequately protected, as determined by the Secretary of State, after consultation with federal agencies authorized to perform protective services.

To date, no documentation has been added to the case record file that addresses this criterion.

1001.7 The Board shall consider the municipal interest, as determined by the Mayor.

Based on the above information, the OP determined that the proposed change of use would not be contrary to the municipal interest.

1001.8 The Board shall consider the federal interest, as determined by the Secretary of State.

To date, no documentation has been added to the record file that addresses this criterion.

Consistency with the 2006 Comprehensive Plan

The Comprehensive Plan Generalized Land Use Map designates the general surrounding area for Low Density land uses, predominantly single-family detached and attached housing. A number of the surrounding properties are developed for and occupied by chancery and embassy uses. Based on this application, the surrounding land use mix and the above criteria, the proposed change of use would not be inconsistent with existing neighborhood character or the Plan land use designation.

VI. AGENCY COMMENTS

The District Department of Transportation concluded in a memorandum dated May 21, 2013, that the proposed use would not have a significant or adverse impact on the street network.

VII. COMMUNITY COMMENTS

During its regular scheduled meeting on April 15, 2013, Advisory Neighborhood Commission (ANC) 2C voted unanimously to express no objection to this request. The resolution also noted that the immediate residential neighbors of subject property were notified in writing by the Mission and neither, at the time, expressed any objection.

Figure 2



In a letter dated April 10, 2013, the Embassy of the Republic of Poland expressed concern that, “The evitable high number of clients visiting the new Sri Lanka Embassy and (it’s) Consular Office will lead to greater gridlock ...” on Whitehaven Street. A letters dated April 29 and May 22, 2013, from Wayne L. Berman who resides at 3055 Whitehaven Street and Leo A. Daly III who resides at 3065 Whitehaven Street NW, respectively, expressed similar concerns.

Figure 3

